

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: etnymph18112001dl12[1].jpg

Other Known Title: Not Stated

Format: Computer Image File

Director/Author: Not Applicable

Producer/Publisher: Not Applicable

Country of Origin: Not Stated

Language: Not Applicable

Applicant: Comptroller of Customs

Distributor: Not Applicable

Classification: Objectionable.

Descriptive Note: Not Applicable

Display Conditions: Not Applicable

Date of entry in Register: 17 January 2008

Date of direction to issue a label: Not Applicable

OFLC No: 702060

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

Summary of reasons for classification:

The computer image file *etnymph18112001dl12[1].jpg* is classified as:
Objectionable.

The image is objectionable under s3(3)(b) of the Films, Videos, and Publications Classification Act (FVPC Act). The image file consists of a photograph of a naked pre-pubescent girl standing in front of a white sheet. The dominant effect is of a girl having her innocence exploited by someone with a camera. While within its walls it does not depict obvious sexual conduct or a sexualised pose, it has a likely sexual purpose and therefore exploits the nudity of the child to a high degree in a manner that is likely to be injurious to the public good.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's intention and reflects the concern of "a free and democratic society" to protect children from exploitation.